



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 60-1	Subject: INITIAL SIGN-UP TO PROBATION, PAROLE AND CONDITIONAL RELEASE SUPERVISION
Chapter 60: SIGN-UP PROCEDURE/SUPERVISION STANDARDS	Page 1 of 11
	Revision Date: 12/03/01; 6/17/02; 03/14/03; 03/06/04; 03/01/05; 08/01/05; 02/15/06; 10/27/06
Signature: /s/ Ron Alsbury	Effective Date: 10/01/01

I. BUREAU DIRECTIVE: The Probation and Parole Bureau staff will use consistent procedures and forms to ensure offenders are advised of the sentencing order of the court or Board of Pardons and Parole and the legal force and effect; their probation conditions and their responsibilities while serving their probation, conditional release or parole supervision. Probation, Parole and Conditional Release rules will reflect the offender's restrictions while under supervision.

II. AUTHORITY:

2-15-112, MCA	<i>Duties and Powers of Department Heads</i>
46-18-244, MCA	<i>Type and Time of Payment</i>
46-23-1004, MCA	<i>Duties and Responsibilities of the Department</i>
46-23-1011, MCA	<i>Supervision on Probation</i>
46-23-1021, MCA	<i>Supervision on Parole</i>
53-1-201, MCA	<i>Purpose of Department of Corrections</i>
53-1-203, MCA	<i>Powers and Duties of Department of Corrections</i>

III. DEFINITIONS:

None

IV. PROCEDURES:

Officers are required to perform a variety of functions during their initial sign up with offenders. The following steps will be completed to ensure that sign up procedures are both consistently applied and follow the statutes.

Probation, parole, and conditional release offenders are received into the community in the following ways:

Probation Offenders

- The District Court Judge sentences the offender to serve a period of probation and imposes conditions of said term of probation.
- When the offender is initially incarcerated and his/her prison sentence expires and he/she has suspended time (probation) to follow. (The Offender may also discharge a sentence with probation time to follow from pre-release, ISP, Connections Corrections, WATCH, TSCTC, ICP (MWP), or other community programs that inmates are placed in from the prison.)
- When the offender initially comes to the community on parole status and the parole status expires and the offender has suspended time to serve.

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Parole Offenders

- When offenders are sentenced to MSP/MWP or DOC, and become parole eligible, and the Board of Pardons and Parole (BOPP) approves a parole, the BOPP will submit the parole plan to the appropriate program/P&P Office for screening/investigation. See P&P 120-1 Parole Placement Investigation Procedures. Offenders on Parole may be placed at Pre-Release, on ISP, or into the community on parole status.

Conditional Release Offenders

- Offenders who are committed to the Department of Corrections and have completed a placement in a community corrections program may be released on Conditional Release Status. Initially, offenders in prison were considered for conditional release placement. This procedure ceased February 1, 2003, however, there still remains some offenders that were approved pending certain stipulations that may be released from the prison setting on conditional release status. (See 150-6 Conditional Release of DOC Offenders.)

PROCEDURE:

1. Conditions of Probation, Parole or conditional release are imposed.
2. When an offender's parole or conditional release expires or when a custody term is discharged and the offender has probation time to follow, the officer in the respective location of the offender will sign offender to new probation rules and conditions. The potential location of these offender's and the staff responsible for sign up are as follows:

RESPONSIBILITY:

District Judge, DOC
Board of Pardons & Parole

- Offender discharging prison sentence in a secure correctional facility with probation to follow.
- Offender discharging parole in the community with probation time to follow.
- Offender discharging prison sentence in Pre-Release Center with probation time to follow.
- Offender discharging parole or prison terms from ISP with probation time to follow.
- Offenders discharging prison term from TSCTC or ICP (MWP) with probation time to follow.
- Offenders being conditionally released from MASC, BASC, Boot Camp, Connections Corrections
- Offenders being conditionally released from Pre-Release
- Offenders being conditionally released from ISP
- Offenders discharging from conditional release status onto probation supervision.

IPPO

P&P/ISP Officer

PO II or designee

P&P/ISP Officer

IPPO

Respective Program IPPO

Pre-Release Liaison (POII)

ISP Officer

Supervising Officer

3. **PROBATION** - P&P 60-1 (E&F) Conditions of Probation & Parole including all imposed/special conditions for probation

P&P/ISP Officer

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offender is prepared.

A. If the offender is discharging their sentence from prison, boot camp, or pre-release with suspended time to follow the following will occur:

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| 1. The IPPO/POII coordinates with the P&P Officer in the community to schedule reporting instructions for the probation offender. | IPPO/POII or designee |
| 2. Completes <i>P&P 60-1 (E&F) Conditions of Probation & Parole</i> . Meets with the offender and reads and explains each rule and condition to the offender and has the offender initial to acknowledge understanding of the rule. Has the offender sign the rules. Completes <i>P&P 60-1 (H) Wage Garnishment Authorization</i> (if this has not been previously done) and forwards to the DOC Restitution Unit relative to offenders that owe restitution. A copy is placed in the offender's file. | IPPO/POII or designee |
| 3. Issues offender <i>P&P 80-1 (A) Travel Permit</i> . | IPPO/POII or designee |
| 4. Verifies the offender convicted of a sexual or violent offense has complied with statutory obligation to register with local law enforcement and records the offender's intended address. (See P&P 60-12 Registration of Sexual and Violent Offenders) If applicable, completes <i>Sexual/Violent Offender Registration</i> forms per P&P 60-12 Registration of Sexual and Violent Offenders. Provides offender with <i>P&P 60-12 (A) Duty to Register Letter</i> . Places copy of registration in field file and sends file to P&P Officer/ISP Officer in the field. A copy of the <i>Duty to Register Letter</i> is kept in the prison file and IPPO file. | IPPO/POII or designee |
| 5. Confirms whether or not the offender has been convicted of a felony or otherwise is ordered to provide a biological sample for DNA sampling in the community per P&P 60-13 DNA Testing-Collection of Biological Sample. If the offender has not provided the sample and is required to provide a sample, complete <i>P&P 60-13 (B) Requirement to Provide Biological Sample Letter</i> and have the offender sign the letter. Works with the facility/program staff to obtain a DNA sample prior to the offender being released from the | IPPO/POII or designee |

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facility/program. (*Go to Page 6, #4 to continue*)

PAROLE – The following procedure occurs for parole offenders:

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| A. The BOPP forwards the filed field file to the Officer in the field. The Probation & Parole Officer investigates the parole plan of an offender within 30 days as per P&P 120-1 Parole Placement Investigation Procedures. | P&P/ISP Officer |
| B. If parole plan is approved on the offender, prepares <i>P&P 60-1 (E&F) Conditions of Probation & Parole</i> or <i>P&P 150-2 (A&B) Conditions of ISP – P&P</i> . If the P&P/ISP Officer requests additional conditions, the officer completes the <i>Waiver of Appearance for Special Conditions form</i> . The <i>Conditions of Probation & Parole</i> and/or <i>Waiver of Appearance for Special Conditions</i> are sent to the BOPP electronically, by mail, or by fax. | P&P/ISP Officer |
| C. Additional Special Conditions are entered into the Parole rules. Finalized Parole rules and Waiver are sent to the IPPO. | BOPP |
| D. BOPP provides the IPPO/POII the <i>Conditions of Probation & Parole</i> (as forwarded by the P&P Officer in the field with added special conditions if applicable.) The IPPO/POII or designee completes the following: | BOPP |
| 1. Meets with the offender and reads and explains each rule and condition to the offender and has the offender initial to acknowledge understanding of the rule. Has the offender sign the rules. Completes <i>P&P 60-1 (H) Wage Garnishment Authorization</i> (if this has not been previously done) and forwards to the DOC Restitution Unit relative to offenders that owe restitution. A copy is placed in the offender's file. | IPPO/POII or designee |
| 2. Coordinates with the P&P/ISP Officer in the community to schedule reporting instructions for the parole offender. | IPPO/POII or designee |
| 3. Issues offender <i>P&P 80-1 (A) Travel Permit</i> . | IPPO/POII or designee |
| 4. Sexual/Violent Offender Registration – Same as 4. above. | IPPO/POII or designee |
| 5. DNA Testing – Same as 5. above. (<i>Go to Page 6, #4 to continue</i>) | IPPO/POII or designee |

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ISP INMATE : *P&P 150-1 (A&B) Conditions of ISP – DOC Inmate* is completed. This form is used for Department of Corrections commitments that are placed on ISP on Inmate Status or DOC commits that have been transferred from the prison to ISP on inmate status. The IPPO will complete the following for inmates transferred from prison to ISP on inmate status:

ISP Officer/IPPO

A. Meets with the offender and reads and explains each rule and condition to the offender and has the offender initial to acknowledge understanding of the rule. Has the offender sign the rules. Completes *P&P 60-1 (H) Wage Garnishment Authorization* (if this has not been previously done) and forwards to the DOC Restitution Unit relative to offenders that owe restitution. A copy is placed in the offender's file.

IPPO

B. Coordinates with the P&P/ISP Officer in the community to schedule reporting instructions for the parole offender.

IPPO

C. Issues offender *P&P 80-1 (A) Travel Permit*

IPPO

D. Sexual/Violent Offender Registration – Same as #4 above.

IPPO

E. DNA Testing – Same as #5 above(*Go to Page 6, #4 to continue*)

IPPO

CONDITIONAL RELEASE OFFENDER: *P&P 150-6 (A&B) Conditions of Conditional Release* including all imposed/special conditions for conditional release offender is prepared

IPPO, Pre-Release Liaison,
ISP Officer

A. The IPPO/POII/ISP Officer coordinates with the P&P Officer in the community to schedule reporting instructions for the conditional release offender.

IPPO, Pre-Release Liaison,
ISP Officer

B. Completes *P&P 150-6 (A&B) Conditions of Conditional Release*. Meets with the offender and reads and explains each rule and condition to the offender and has the offender initial to acknowledge understanding of the rule. Has the offender sign the rules. Completes *P&P 60-1 (H) Wage Garnishment Authorization* (if this has not been previously done) and forwards to the DOC Restitution Unit relative to offenders that owe restitution. A copy is placed in the offender's file.

IPPO, Pre-Release Liaison,
ISP Officer

C. Issues offender *P&P 80-1 (A) Travel Permit*

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| D. Sexual/Violent Offender Registration – Same as 4. above. | IPPO, Pre-Release Liaison,
ISP Officer |
| E. DNA Testing – Same as #5 above (<i>Go to Page 6, #4 to continue</i>) | IPPO, Pre-Release Liaison,
ISP Officer |
| 4. Appointment is scheduled with the Probation & Parole/ISP Officer in the field and the probation/parole offender to sign rules of probation or parole. | P&P/ISP Officer
IPPO/POII or designee |
| 5. Each rule and condition is read and explained to the probation or parole offender. | P&P/ISP Officer |
| 6. Each Probation or Parole rule and special condition is initialed to acknowledge understanding. Signs Probation/Parole Rules. | Offender |
| 7. Probation/Parole offender is witnessed signing the rules. | P&P/ISP Officer |
| 8. <i>P&P 60-1 (B) Federal Firearms Form</i> is reviewed and signed by the offender. Form is retained in the field file. | P&P/ISP Officer |
| 9. Verifies the offender convicted of a sexual or violent offense has complied with statutory obligation to register with local law enforcement and records the offender's intended address. (See P&P 60-12 Registration of Sexual and Violent Offenders) If applicable, completes <i>Sexual/Violent Offender Registration</i> forms per P&P 60-12, Registration of Sexual and Violent Offenders. Provides offender with <i>P&P 60-12 (A) Duty to Register Letter</i> . | P&P/ISP Officer |
| 10. Confirm whether or not the offender has been convicted of a felony or otherwise is ordered to provide a biological sample for DNA sampling in the community per P&P 60-13, DNA Testing-Collection of Biological Sample. If the offender has not provided the sample and is required to provide a sample, complete <i>P&P 60-13 (B), Requirement to Provide Biological Sample Letter</i> and have the offender sign the letter. | P&P/ISP Officer |

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| 11. If applicable, provides the offender with <i>P&P 60-1 (A) Notification to Search Form</i> . All persons residing with the offender completes this form. Assures that this form is signed by the appropriate parties and is returned to the file. May also have the other residents of the offender's home meet personally to complete this form, allowing opportunity to discuss the contents of the form. | P&P/ISP Officer |
| 12. Provides a copy of <i>P&P 60-9 (A) Supervision Fee Offender Rights & Responsibilities</i> (handout) to the offender. The officer may indicate on this form the monthly supervision fee amount to be paid. | P&P/ISP Officer |
| 13. Completes <i>P&P 60-1 (H) Wage Garnishment Authorization</i> (if this has not been previously done) and forwards to the DOC Restitution Unit relative to offenders that owe restitution. A copy is placed in the offender's file | P&P/ISP Officer |
| 14. Reviews <i>P&P 60-1 (G) Monthly Report</i> with offender and provides forms for the offender to complete on a monthly basis. | P&P/ISP Officer |
| 15. Talks with the offender about notification of his/her employer of his/her status on supervision with the Department of Corrections and the crimes he/she is on supervision for. The P&P Officer will give the offender a couple of days to notify the employer of this information and then will submit <i>P&P 150-7 (A) Employer Notification Letter</i> via. hand- delivery or mail to the employer. ISP Officers will use <i>P&P 150-1, 2 & 3 (G) ISP Employer Letter</i> . Anytime an offender changes employment a new letter will need to be completed and forwarded to the new employer. Copies of this letter a placed in the offender's file. (See P&P 150-7 Employer Notification). | P&P/ISP Officer |
| 16. Admissions, Risk, Needs and other data is entered into Management Information System. (see P&P 60-2 Supervision Strategies & Compliance Monitoring) | P&P/ISP Officer/POT
Administrative Support |

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17. Reviews court order and needs assessment and completes *P&P 60-2 (A), Supervision Strategies and Compliance Form*. This form will be kept behind the Chronological Face Sheet in the officer's Chronological books and be updated as necessary. *P&P 60-2 (B) Supervision Compliance Log* may be used by officers to assist in tracking individual offender supervision requirements. The Compliance Log is **not** a substitute for chronological entries. P&P/ISP Officer

18. If a Pre-sentence Investigation was not completed on the offender, provides the offender *P&P 30-1 (D) PSI Questionnaire and Medical Screening* to complete for the Post Sentence Investigation. (See P&P 60-2 Supervision Strategies & Compliance Monitoring & P&P 30-1 Pre-Sentence Investigation & Guide/Post Sentence Investigation.) Officer will conduct Post-Sentence Investigation on the offender and complete *P&P 30-1 (F) Post-Sentence Investigation* as soon as the investigation and interview with the offender are completed. This should be completed within 30 days of assignment of the case. If an offender coming in on an Interstate Transfer and does not have a Pre-Sentence Investigation in their file, the P&P Officer is not required to complete a Post PSI on the offender. The only requirement is that the P&P Officer will need to have the offender complete *P&P 30-1 (D) Pre-Sentence Investigation Questionnaire* for placement in the offender's field file. The Post PSI will serve as a resource to other P&P Officers and entities within the Department. Officer needs to keep this in mind and assure that all pertinent information is detailed in this report. (Officers must do the first two page of the Post Sentence Form. If they complete the additional sections under family, restitution, etc, they will receive full PSI points on the monthly workload report.) P&P/ISP Officer

19. Photograph offender using both a frontal view and a profile view (right view). Attach photograph to *P&P 60-1 (C) Adult Chronological Face Sheet* either manually or electronically. All offenders' photos will be stored on the I:\Photos drive. (The directory structure used under I:\Photos is up to the discretion of each individual office). The following format shall be used by each office when naming offender photos: P&P/ISP Officer/POT Administrative Support

**Offender Last Name, Offender First Name_ Offender
DOC ID #_Date_f (frontal view) or _p (profile view).jpg**

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- ◆ If it is an A0 number, i.e., A012345 - remove the 'A' and save it, beginning with the zero - so the number becomes 012345
- ◆ If it is a ProFiles number, i.e. 2040999 - then, add a zero to the front - so the number becomes 02040999
- ◆ For the front photo an _f is used after the date for the profile photo, a _p is used after the date.
- ◆ The date is done by year month day
- ◆ Make sure that you have adequate lighting and that the background is a solid color (i.e. no paneling, desks, height bar, bulletin boards, etc. in the background of the photo) and that the camera is focused
- ◆ Ensure that the camera is the same distance from the client for both the front shot and the profile. (It may be helpful to put tape on the floor where the client photo will be taken so that they will stand in the same spot for all photos)
- ◆ Remember that for client photos the profile should be taken of the right side of the client (the left side profile is take for DOC employee photos)

example:

Doe, John_023011_20041014_f.jpg (Frontal shot taken on 10/14/04)

Doe, John_023011_20040601_p.jpg (Profile shot taken on 6/1/04)

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|---|---|
| 20. Complete information for <i>P&P 60-1 (C) Adult Chronological Face Sheet</i> and/or generate Profiles form. Place <i>Chronological Face Sheet</i> in Officer's Chronological Book. | P&P/ISP Officer/POT
Administrative Support |
| 21. If the offender is a sex offender that has been ordered to no contact with the victim and/or any persons under the age of 18, the officer may have the offender complete P&P 60-1 (I) What Does "No Contact" Mean? | P&P/ISP Officer/POT
Administrative Support |
| 22. Make initial entry in <i>P&P 60-1 (D) Adult Chronological History</i> or <i>P&P 150-1, 2 & 3 (M) ISP Adult Chronological History</i> documenting the contact. All contacts regarding an offender <u>must</u> be documented in the Chronological History. | P&P/ISP Officer |
| 23. Develops a field file or enters additional information to the existing file. | P&P/ISP Officer/POT
Administrative Support |
| 24. Document all contacts and changes relative to the offender in the <i>Adult Chronological History</i> and when applicable on the <i>Adult Chronological Face Sheet</i> on an ongoing basis throughout the offenders supervision. | P&P/ISP Officer/POT
Administrative Support |

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Offenders convicted of felony drug offenses are eligible to receive food stamps and public assistance as of July 1, 2005, if the offender is actively complying with the conditions of supervision. The offender will be responsible to submit a *Request and Verification to Remove Disqualification for Benefits* form to the P&P Officer to complete the appropriate section. (If the form is not available, verification of compliance with the requirements may be accomplished by using another method of communication, such as telephone or letter) A copy is made for the P&P file and the original returned to the offender who is responsible to submit to the DPHHS.

P&P/ISP Officer/POT
Administrative Support

The offender is deemed not to be following the conditions of supervision if a *Report of Violation* is filed or in cases of a conditional release offender, when a *Statement of Charges-Notice of Disciplinary Hearing* is submitted. The Officer will be required to follow up with DPHHS relative to such non-compliance. (See *P&P 100-1 Report of Violation & P&P 140-1 Adult Offender Discipline & Disciplinary Hearings*). The Officer will secure a copy of the *Request and Verification to Remove Disqualification for Benefits* form from the file and fill out the relevant part, notifying DPHHS of the person's non-compliance with the conditions of supervision and mail the form to DPHHS, c/o TANF Participation Specialist, HCSD-PAB, PO Box 202952, Helena, MT 59620-2952.

A person who has previously been ineligible for public assistance because of noncompliance with conditions of supervision may reapply for such benefits upon becoming compliant.

25. Any time an offender transfers to a different jurisdiction, once the file is received the new supervising officer should review the Conditions of Probation and Parole with the offender and sign new rules relative to change in travel district. This documents and supports that the new supervising officer reviewed the Conditions of Supervision, should the offender have to answer to violations relative to supervision. If the offender transfers to a new officer in the same office, the new supervising officer should review the *Conditions of Probation & Parole* with the offender. It is suggested that when the officer does this review, the offender re-sign the current conditions with the new officer.

New Supervising Officer

26. On Sexual/Violent Offenders the officer needs to notify the

P&P/ISP Officer/POT

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Department of Justice relative to any address change. This can be accomplished by having the Offender complete the *SVOR-Change of Address Form* and forwarding a copy to the DOJ or by e-mailing the DOJ at dojsvor@mt.gov. The officer should maintain documentation that this DOJ notification was completed.

Administrative Support

27. Retains the offender's file in field office.

P&P/ISP Officer/POT
Administrative Support

V. CLOSING: Questions concerning this procedure shall be directed to the Regional Administrator or designee.

Forms

P&P 30-1 (F)	Post Sentence Investigation
P&P 60-1 (A)	Notification of Search
P&P 60-1 (B)	Firearms Regulations
P&P 60-1 (C)	Adult Chronological Face Sheet and/or Profiles Generated Face Sheet
P&P 60-1 (D)	Adult Chronological History Form
P&P 60-1 (E&F)	Conditions of Probation and Parole
P&P 60-1 (G)	Monthly Report
P&P 60-1 (H)	Wage Garnishment Authorization
P&P 60-1 (I)	What Does "No Contact" Mean?
P&P 60-2 (A)	Supervision Strategy & Compliance Form
P&P 60-2 (B)	Supervision Compliance Log (optional use)
P&P 60-9 (A)	Supervision Fee-Offender Rights & Responsibilities
P&P 60-12 (A)	Duty to Register Letter
P&P 60-13 (B)	Requirement to Provide Biological Sample Letter
P&P 150-1 (A&B)	Conditions of ISP – DOC Inmate
P&P 150-2&3 (A&B)	Conditions of ISP – P&P
P&P 150-1, 2 & 3 (G)	ISP Employer Letter
P&P 150-6 (A&B)	Conditions of Conditional Release
P&P 150-7 (A)	Employer Notification Letter
BOPP	Waiver of Appearance for Additional Conditions
DOJ	Sexual-Violent Offender Registration Form
DPHHS	Request and Verification to Remove Disqualification for Benefits (<i>this form is to be submitted to the PO by the offender through DPHHS</i>)